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January 16, 2009

The Honorable Shira A. Scheindlin
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 1050
New York, New York 10007-1312

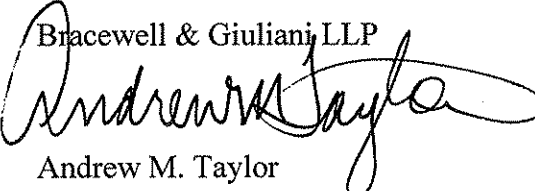
Re: In re: Methyl-Tertiary Butyl Ether (MTBE) Products Liability Litigation
MDL No. 1358, Master File C.A. No. 1:00-1898 (SAS)

City of New York v. Amerada Hess Corp., et al. No. 04-CV-3417

Dear Judge Scheindlin:

As your honor is aware, the parties have agreed to Monday, January 19, 2009 as the deadline to submit all motions for summary judgment not requiring expert evidence. We are currently involved in negotiations with Plaintiff's counsel to seek a voluntary dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(i) with respect to all claims asserted against Ultramar Ltd. and Ultramar Energy Inc. ("UEI"). We are optimistic that these negotiations will ultimately be successful. Therefore, we would like to avoid burdening the Court with what will in all likelihood be an unnecessary motion for summary judgment on behalf of these two defendants. Plaintiff's counsel has agreed to extend the deadline to submit motions for summary judgment on behalf of these defendants to April 20, 2009 in order to continue the ongoing negotiations. We have accordingly enclosed a proposed order seeking the Court's approval of our agreement to extend this deadline with respect to these two defendants only. We are hopeful that this short extension will allow the parties time to reach an agreement for the voluntary dismissal of these defendants, and avoid the need to file a summary judgment motion on their behalf.

Respectfully submitted,

Bracewell & Giuliani LLP

Andrew M. Taylor

AMT/plp
Enclosure

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation

**Master File No. 1:00-1898
MDL NO. 1358 (SAS)
M21-88**

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This Document Relates To:

City of New York v. Hess Corporation, et al., No.
04-CV-3417

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ORDER

The deadline for defendants Ultramar Ltd. or Ultramar Energy Inc. to file a summary judgment motion not requiring expert evidence is hereby extended from January 19, 2009 to April 20, 2009.

Signed this the ____ day of _____, 2009.

Shira A. Scheindlin
United States District Judge